

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
WACO DIVISION

ONSTREAM MEDIA CORPORATION,

Plaintiff,

v.

BUILDSCALE, INC. d/b/a VIDYARD,

Defendant.

Case No. 6:21-cv-00554-ADA

**NOTICE OF VOLUNTARY DISMISSAL
WITH PREJUDICE OF COMPLAINT PURSUANT TO
FEDERAL RULE OF CIVIL PROCEDURE 41(a)(1)(A)(i)**

Plaintiff, Onstream Media Corporation, hereby dismisses this action with prejudice pursuant to Federal Rule of Civil Procedure 41(a)(1)(A)(i):

1. Onstream Media Corporation filed its complaint in the above-entitled action against Buildscale, Inc. d/b/a Vidyard ("Defendant") on June 1, 2021.
2. Defendant has not served an answer or motion for summary judgment in this action.
3. Federal Rule of Civil Procedure 41(a)(1)(A)(i) provides that a plaintiff may dismiss an action without a court order by filing a notice of dismissal before the opposing party serves either an answer or a motion for summary judgment.
4. Accordingly, Onstream Media Corporation hereby dismisses this action with prejudice pursuant to Federal Rule of Civil Procedure 41(a)(1)(A)(i).

Dated: October 12, 2021

Respectfully submitted,

/s/Raymond W. Mort, III

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